

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

KELDY GONZALES DE ZUNIGA
ERICK ZUNIGA GONZALES, and
MINO ZUNIGA GONZALES,

Plaintiff,

v.

No. 2:23-CV-162 MV/JHR

THE UNITED STATES OF,
AMERICA,

Defendant.

JOINT MOTION TO STAY DISCOVERY FOR NINETY DAYS

Defendant United States of America, and Plaintiff Keldy Gonzales De Zuniga, Erick Zuniga Gonzales and Mino Zuniga Gonzales, move the Court to stay discovery, for Ninety Days (90). There are currently no deadlines having been set by the Court. Defendant filed its Motion to Dismiss on June 22, 2023, (Doc No. 13), Plaintiffs have responded, and Defendant filed its reply on September 5, 2023.

The United States and Plaintiffs did not previously have an opportunity to discuss any aspects of this matter prior to the Defendant filing its motion to Dismiss, and the parties diligently briefed the matters raised before the Court. The parties meant to file the present motion at that time but inadvertently did not file this with the Court. However, the parties still agree that a temporary stay of discovery may be necessary to allow the Court time to rule on the Motion to Dismiss and to prepare the discovery timeline. The parties have agreed to a request for a definite stay on discovery after which they would confer pursuant to Fed. R. Civ. P. 26(f). Accordingly, in the interest of judicial economy and efficiency, the parties bring this motion to stay discovery.

WHEREFORE, based upon the above circumstances, Plaintiff and Defendant respectfully request that the Court enter an order staying discovery for a period through and including January 31, 2024, while pending a ruling on the United States' dispositive motion.

Respectfully submitted,

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United States Attorney

/s/ Manuel Lucero 11/9/23
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CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2023, I filed the foregoing pleading electronically through the CM/ECF system which caused the following parties or counsel of record to be served by electronic means as more fully reflected on the Notice of Electronic Filing:

Christopher Benoit: chris@coylefirm.com

/s/ Manuel Lucero 11/9/23
MANUEL LUCERO
Assistant United States Attorney